

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ALEKSEI HASSANI,	:	CASE NO. 5:09-CV-1122
Plaintiff,	:	
vs.	:	ORDER & OPINION
COMMISSIONER OF	:	[Resolving Doc. No. 12]
SOCIAL SECURITY,	:	
Defendant.	:	
	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On May 15, 2009, Plaintiff Aleksei Hassani filed a complaint under [42 U.S.C. § 405\(g\)](#), seeking judicial review of the Commissioner of Social Security's denial of his claim for disability benefits. [Doc. [1](#).] The matter was automatically referred to Magistrate Judge William H. Baughman, Jr. pursuant to Local Rule 72.2. On September 23, 2009, Magistrate Judge Baughman issued an order requiring the Plaintiff to show cause why his complaint should not be dismissed for lack of prosecution. [Doc. [11](#).] On September 30, 2009, the Plaintiff filed a motion to voluntarily dismiss the case. [Doc. [12](#).] Magistrate Judge Baughman consequently recommended that the Plaintiff's motion be granted in a non-document entry. Neither party has filed an objection to the Magistrate Judge's report and recommendation.

The Federal Magistrates Act requires a district court to conduct *de novo* review only of those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within ten days of service. [Id.](#) Failure to object within this time waives a party's right to appeal the magistrate judge's recommendation. [FED. R. CIV. P. 72\(a\)](#); *see also Thomas v. Arn*, 474 U.S. 140, 145 (1985);

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United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt the magistrate judge's report without review. *See Thomas, 474 U.S. at 149*. Moreover, having conducted its own review of the this case, the Court agrees with the conclusions of Magistrate Judge Baughman.

The Court therefore **ADOPTS** the report and recommendation of the Magistrate Judge and **GRANTS** the Plaintiff's motion to dismiss. [Doc. 12.]

IT IS SO ORDERED.

Dated: October 20, 2009

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE